

MINUTES – NOVEMBER 5, 2012

The Caswell County Board of Commissioners met in regular session at the Caswell County Courthouse in Yanceyville, North Carolina at 6:30 p.m. on Monday, November 5, 2012. Members present: Nathaniel Hall, Chairman, Cathy W. Lucas, Vice-Chair, William E. Carter, Jeremiah Jefferies, Kenneth D. Travis and N. Kent Williamson. Absent: Gordon G. Satterfield. Also present: Kevin B. Howard, County Manager, Brian Ferrell, County Attorney, and Angela Evans representing The Caswell Messenger. Paula P. Seamster, Clerk to the Board, recorded the minutes.

MOMENT OF SILENT PRAYER

Chairman Hall opened the meeting with a Moment of Silent Prayer.

PLEDGE OF ALLEGIANCE

Chairman Hall asked the Board of Commissioners and the citizens present to stand for the Pledge of Allegiance.

APPROVAL OF AGENDA

Chairman Hall stated “Before we approve the agenda I would like to add two items, I know it seems pretty long already and some of these we will move through pretty quickly but I will add these two items at the end. One has to do with the Department of Commerce possible grant application and the second has to do with the Countywide Economic Development Board.”

Commissioner Travis moved, seconded by Commissioner Jefferies to approve the agenda an amended. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Commissioner Travis moved, seconded by Commissioner Jefferies to approve the Consent Agenda. The motion carried unanimously.

The following items were included on the Consent Agenda:

- A. Approval of Minutes of October 15, 2012 Regular Meeting
- B. FY 2012-2013 Budget Amendment #3

PUBLIC COMMENTS

Chairman Hall opened the floor for public comments.

Mr. John Claggett made the following statement:

“Good evening, my name is John Claggett and I reside at 108 Jaye Lane, Providence, NC.

Again I appreciate the opportunity to speak publically on behalf of the taxpayers.

Listed in this evening's agenda is a request by the County Manager for \$5,500 to outsource the task of revising the current Caswell County Personnel Policy. We would like to know why this task couldn't be completed by our new Human Resources Officer. At least make the attempt, isn't that part of her job description....or does she have one?

\$5,500 to us is a lot of money to spend on something that normally would be handled in house by a recently hired, qualified, salaried, member of county staff. Thank you."

Chairman Hall asked if there was anyone else that would like to speak during Public Comments. With no other public comments Chairman Hall declared Public Comments closed.

DAN RIVER BASIN ASSOCIATION SUNLINE DRIVE PARKING UPDATE

Mr. Chad Hall stated "Thank you Mr. Chair and members of the Commissioners. I am Chad Hall with the Dan River Basin Association and I am here to give you an update. We have met several times previously regarding the parking lot at the end of Sunline Drive. The parking will serve a two-fold. Primarily the parking lot will provide parking for the user of the trail but the big reason we were originally here was to seek a driveway permit from the NCDOT to get back to that area of the property so we could clear some land to open up the trail corridor to add to the list of trails that we have been building. In the past month we have been granted a driveway permit from NCDOT for the purposes of developing that parking lot on Sunline Drive. We have also collected a couple of proposals, the Dan River Basin Association has and that is where the money for this parking lot will be coming from. We have decided to go with Thrift Development Corporation. They have helped us out with a lot of the other trails. One of the big reasons we wanted to continue to go with them is for consistency in terms of the sensitivity of protecting trees and streams. They have shown that in the past and they are on the same page with us on those endeavors. Also there may be an opportunity with some of the Dan River Association's money to extend beyond the parking lot and add more trails over at the Caswell County Senior Center. We have some money left over in our budget and we want to use all the resources for the people of Yanceyville and the people of Caswell County. We would like to extend the trails at the Senior Center and to also build some bridges that we need on the property. All of this comes out to be a \$30,000 investment. All the money does come from the Dan River Basin Association. Tonight I am here just to find out if we can move forward to initiate the contract with Thrift Development to develop a parking lot at the end of Sunline Drive. There are a couple of questions that I have for you. One being that you would like to see lighting at the parking lot area. There is a light at the end of the cul-de-sac on Sunline Drive but this parking lot would be tucked into the woods a little bit. This is for the purpose of safety late at night. Would you like to see lighting installed in that area? The other somewhat related to that is would you like to see this area gated? If you wish for it to be gated that would bring the question as to who would be responsible for locking and unlocking the gate each day. With those two questions we would really like to move forward with this project for the residents of Caswell County."

Chairman Hall asked "Are there any questions or comments for Mr. Hall?"

Commissioner Carter stated "I think it would be beneficial to have lights out there."

Commissioner Lucas asked "What is the total cost? You said you had \$30,000 but you were not going to quite spend that amount." Mr. Hall responded "We have quite a bit in the budget. We probably have about fifty thousand or sixty thousand total in our budget. The parking lot construction which is to be removed from concrete which was dumped there, remove a culvert, put in a new culvert, do the parking lot and put in lighting we anticipate it to run around \$30,000. There would be additional costs for the additional trail and we really cannot assign a cost to that yet because we don't know what the remaining dollar amount will be. We want to spend it all in Yanceyville and Caswell County." Commissioner Lucas continued "I guess the other question would be if the lighting would be taken care of in the additional funding?" Mr. Hall responded "The installation of the lighting would be. There would be a cost of that light on an ongoing basis and that would go back to the county and I have not gotten a number from Progress on what that number would be." Commissioner Lucas asked "Have you talked with the Town about that as well?" Mr. Hall responded "I have talked with Haynes about that and they seemed to be very comfortable with that but I did not know who that bill will go to. I know it will be a minimal cost. I just wanted to make you aware that there would be some costs involved after the installation."

Commissioner Jefferies asked "Has the attorney looked at this?" Mr. Ferrell responded "When this was before you the last time I believe we spoke about if the county wanted to move forward there would need to be an agreement with the County and the Dan River Basin Association about various things including responsibilities, the construction and maintenance of those kinds of things. To the extent that the county wanted to move forward in that step in my mind would be a review and approval of an agreement with the County and the Dan River Basin Association for the construction use of this parking lot." Mr. Hall stated "It will be very similar to the other contracts we have used for the other trails earlier this year." Mr. Ferrell responded "I don't see any need for it to be overly complicated. How long is your construction time line?" Mr. Hall responded "Three to four weeks." Mr. Ferrell stated "I would want to look at an agreement before the construction."

Chairman Hall stated "Like Mr. Carter I think it would make good sense to put up a light. We would probably be looking at well I don't know what they would charge county government normally you pay ten to fifteen dollars a month for night lights of some sorts. That would be an added cost that we would have to factor in but to me that is minimal for what we are getting here."

Commissioner Travis asked "Can you put lights over there with a charging system where it will charge during the day and burn at night?" Mr. Hall responded "We would make it as friendly as we possibly could." Commissioner Travis continued "You see a lot of them out now and then there will not be any power bill on them." Mr. Hall responded "I just wanted to make you aware if there were going to be any additional cost that would be it."

Chairman Hall stated "I don't think we would want a gate. The consensus may be that we would want a light and no gate and if that is the case the Chair would entertain a motion to move forward."

Commissioner Jefferies moved, seconded by Commissioner Williamson to move forward as proposed by the Dan River Basin Association with the understanding that our attorney will review the paperwork. The motion carried unanimously.

RECREATION COMMISSION UPDATE

Ms. Kathleen Wandscher stated "Good evening ladies and gentlemen. I am Kate Wandscher member and chair of the Caswell County Recreation Commission now in my second term. I just wanted to share some concerns and some of the activities that have been accomplished during the last five years. As you know Caswell County is fortunate enough to have Chad Hall working for us in cooperation with the Dan River Basin Association at no cost to the County. Now that his funding will come to an end at the end of this December our Board has some concerns. 1) What will become of the completed Master Recreational Plan; 2) What or who will continue the great work that he has started in cooperation with the local residents, the Recreation Commission and interested State and Local Governments; 3) Who will oversee or maintain the trails that Chad has just mentioned that are in place, namely one that connects our Senior Center with Yoder's Market; and 4) Most concerning is with the grant monies in use, the purchase of canoes and kayaks for water sports activities on Farmer Lake, the need for a swimming program? Ask the question, why should our children have to go out of state for this; 5) The Recreation or proposed Recreational Complex sitting idle now for almost 2 years. What is the plan for this property and when? All in all who will undertake these responsibilities for the future? The Recreation Commission has one proposal to put forward to you for public record and we are not expecting any answers at this time. But one would be the addition of a full time employee. Some of these responsibilities can be undertaken by our Parks and Recreational Director. I would like to go on record at this time to thank Mr. Chad Hall publicly for his work and accomplishments, in all weathers. He will be missed as he is not being replaced."

APPROVAL OF CASWELL COUNTY ANIMAL EMERGENCY RESPONSE PLAN

Mr. Joey Knight stated "Good afternoon Mr. Chairman and other Commissioners. I come before you tonight to present the revised plan for the Caswell County Animal Emergency Response Plan. We did this back in, I think, 2005 so we had to update it because a lot of the people we had listed were retired and just in case we had a major disaster such as foot and mouth disease and some of these other diseases in European countries since we are an international country and everybody is traveling everywhere. Hopefully we will not have a problem but if we do we have to have a plan in place within 24 hours before the federal government gets involved to tell us what to do. We have to have some type of plan in place so this plan is basically the same. It is a 45 page document and it explains the different agencies and the supporting agencies that will be involved. What I would like to ask from you all tonight is to approve the revised plan that EMS, Barry Lynch, Dr. Fuller and myself and some other folks have met and revised the plan. You should have a copy but if not I will make sure that you get a copy. Are there any questions?"

Chairman Hall stated "Okay we have 45 pages gentleman do we have any questions for Joey?" Mr. Knight responded "We went through it and I think we only had one correction that needed to be corrected and that was provided by EMS for us." Chairman Hall asked "Did you share it with our attorney?" Mr. Ferrell responded "I actually read all 45 pages myself today for the first time. I did not see the previous version but I did read it." Mr. Knight stated "We came up with the previous version in 2005 and a lot of the 100 counties in North Carolina used our plan as a model so good or bad it is out there."

Chairman Hall asked "Questions? You know I have two Joey. First question, we covered most of the large production facilities: hogs, cattle, horses but I did not see anything for chickens." Mr. Knight responded "Chickens is contracted with two different groups because they have their individual plans. They still have to follow the USDA regulations." Chairman Hall continued "The other question has to do with the Exotic Animal Conservatory in the southern end of the county. It was not mentioned in here." Mr. Knight responded "Mainly foot and mouth disease includes the split hoof animals." Chairman Hall stated "I am talking about the exotic animals. When we talk about hurricanes, storms, whatever, what happens if they get out of that facility? That is what I was looking for in here also. That happened a couple of years ago out west when some wild exotic animals got loose and they had a problem." Mr. Knight responded "The only thing I can tell you is to work with Animal Control and I will keep my 270 behind the truck seat. No seriously I don't know. Do you know Barry?" Mr. Barry Lynch responded "Two or three weeks ago I sat in a class at the Emergency Management Conference with the guy from the zoo in Asheboro about wild and these exotic animals if they get loose and how to catch them and so forth. We are looking at January or February time frame; he is actually going to come to the county and put on a class for the Anderson Fire Department which responds there and our folks as well. He actually knew nothing about the facility in Caswell County at all and there are a lot of federal regulations and stuff that he actually told me about and I don't know if they are following them or if they are inspected and so forth. If we need to add an amendment to this with his recommendations on what should be done we can do that at a later time as soon as he gives us the recommendations on what we should do." Chairman Hall stated "I would think that we would want more than his recommendations from the zoo and we would certainly want an amendment to this. I don't think we would want the Anderson Fire Department handling this." Mr. Lynch responded "This is for their safety in case they have to respond to a call there." Chairman Hall stated "This plan is for the safety of all citizens. What happens if the fence falls down?" Mr. Joey Knight responded "I think we can also contact Dr. David Marshall, the veterinarian for N.C. State to give us his recommendations as well." Mr. Lynch stated "This is something that did not come up during our meetings but it does need to be addressed." Mr. Knight added "We were concentrating more on the disease part of the plan."

Commissioner Lucas that the Board had the same concern in 2002 or 2003 but the Board was told at that time that the facility had a plan in place for things like this. Commissioner Lucas recommended that the Conservators Center be consulted with as well on the Animal Emergency Response Plan. Chairman Hall responded by saying that the County's people should know the Conservators Center's plan. Mr. Knight stated that the committee would definitely look at this. He added that the people who prepared the plan had all retired and he stated that they just wanted to get the plan updated. Chairman Hall stated that the Board could act on the Animal Emergency Response Plan with the expectation that it would be amended regarding the exotic animals.

Commissioner Lucas moved, second by Commissioner Jefferies to adopt the Caswell County Animal Emergency Response Plan with the expectation of receiving an amendment concerning the exotic animals. The motion carried unanimously.

APPROVAL OF MOA WITH THE STATE OF NORTH CAROLINA EMERGENCY
MANAGEMENT TO PURCHASE A PRIME MOVER

Mr. Barry Lynch, Emergency Management, stated that he was coming before the Board to request them to sign a MOA with the State of North Carolina Emergency Management to purchase and equip a Prime Mover. North Carolina Emergency Management in conjunction with the Department of Home Land Security is fully funding the purchase of these trucks and is placing them throughout the state. The county would be responsible for maintaining the vehicle and the fuel costs. In the event of a disaster these trucks will be used to move trailers and equipment to needed areas in the state. The last time something like this happened the state put 9,000 miles in 3 days on the trucks. The F250 that Emergency Management has now was purchased in 2004 through the same program. He added that the state had informed him that the truck needed to be either a Ford F350 4x4 dually or a Chevrolet 3500 4x4 dually whichever was the lowest bid. Mr. Lynch informed the Board that the Chevrolet truck was about \$3,000 cheaper than the Ford. He then added if the Board approved this request that he would also receive a camper shell, two chainsaws, a slide out, wench, and at a later date the state would provide money to pay for radios.

Commissioner Carter asked if the grant was paying for the total cost. Mr. Lynch responded that the grant would cover the total cost. Commissioner Carter then asked what would happen to the F250 that Emergency Management has now. Mr. Lynch responded that the current truck would not be deployed outside the county and that it could be used for more services with EMS.

Commissioner Lucas asked if this was the same situation and same grant as before. Mr. Lynch responded yes. Commissioner Lucas asked what the year was of the current vehicles. Mr. Lynch responded 2004 and it has 89,000 miles on it. Commissioner Lucas stated that it was her understanding that the County would have to front the money for the purchase of the vehicle and then the federal government would reimburse the County. Mr. Lynch responded that this was correct and that it would probably be a four to five week turn around. Commissioner Lucas was concerned as to whether the money was in place in Raleigh. Mr. Howard responded that the County has been talking about this for 3 months and that the money was in Raleigh. Mr. Lynch added that the State Emergency Management did not cut the MOA until they knew they had the money in hand. Commissioner Lucas asked how long the county had. Mr. Lynch responded that the County had until the 15th to have the MOA turned in to Raleigh. He also added that if he was granted permission to move forward on this the County was looking at a minimum of 8 weeks before the vehicle would arrive. Commissioner Lucas asked how many counties were getting these vehicles. Mr. Lynch responded Caswell, Rockingham and Stokes counties. He added that the way this process began was he received a telephone call from the state and said if he wanted to be a part of the program he had to have the proposal in by 5:00 the next day. Commissioner Travis stated so three counties will have to share a vehicle. Mr. Lynch responded no each county would receive a truck. Commissioner Travis continued by saying that this vehicle will be

deployed anytime there is a disaster. Mr. Lynch responded yes when it is needed. Mr. Howard added that the County would be reimbursed for anything once it is deployed. Commissioner Travis added but they will not pay for any of the upkeep of the truck. Mr. Howard responded no. Mr. Lynch stated that most of the time when a vehicle is deployed from the central branch office they will pick up the tab for everything on the vehicle.

Chairman Hall stated that the Board had a grant proposal to purchase an emergency vehicle and the Board needed to decide if the County wants to move forward with the purchase of the truck.

Commissioner Lucas asked where the money was coming from. Mr. Howard responded that it would come from the County's general fund and then be reimbursed by the State.

Commissioner Jefferies moved, seconded by Commissioner Williamson to accept the recommendation of Emergency Management to sign a MOA with the State of North Carolina Emergency Management to purchase and equip a Prime Mover.

Commissioner Lucas stated to Mr. Hall that they had philosophical differences. She was in favor of helping emergency services but she was not sure that the County needed to accept this grant just because it was available. Chairman Hall stated that if something was being offered to Caswell for the use of the citizens that the Board should accept it and not to argue about where the money was coming from. Commissioner Lucas stated that this was where the differences were between the two of them.

Upon a vote of the motion, the motion carried by a vote of four to two with Commissioners Lucas and Travis voting no.

PROPOSED RATE INCREASE FOR EMS SERVICES

Mr. Jeff Sicz, EMS Director, stated that he hoped that the Board had had time to review his report. He added that he took to heart what Mr. Travis stated at a prior meeting that 25% of the time the ambulances were dispatched out but they did not pick up anyone. He added that it could cost as little as \$47.50 depending on the mileage driven but that did not actually cover the cost of the crew. Mr. Sicz stated that he hoped that he had answered all of the Board's questions.

Commissioner Carter moved, seconded by Commissioner Lucas to approve as presented on the proposed rate increases for EMS Services. The motion carried unanimously.

DISCUSSION OF (2) PAYROLL CHECKS PER MONTH

Chairman Hall stated that he had been approached on several occasions about the County paying twice a month versus once a month so he decided to put it on the agenda to get the Board's feedback.

Commissioner Travis stated that he had been asked by several employees as well. He stated that the County did not pay the best and that it should consider paying the employees twice a month.

Chairman Hall asked for his rationale. Commissioner Travis stated that it was hard to make it five weeks between paychecks.

Commissioner Jefferies asked how much it would cost to pay twice a month. Chairman Hall asked the County Manager to answer this question. Mr. Howard referred it to Ms. Gwen Vaughn, Finance Director. Ms. Vaughn stated that it would not have any additional cost as it related to software. Chairman Hall asked about everything else. Ms. Vaughn responded that they were not sure about time management. Chairman Hall asked if it would take additional staff. Ms. Vaughn responded that with the current staff it would only give them 3 days to process payroll.

Commissioner Williamson asked if the County had automatic deposits. Mr. Vaughn responded yes.

Chairman Hall asked how long it took to gather the time sheets from all the departments. Ms. Vaughn responded that most of the departments had theirs in by the 5th of the month but two of the departments, CATS and EMS turned theirs in at a different time. Chairman Hall asked how many timesheets were turned in. Ms. Vaughn responded that they would have as many as 300 employees a month to pay. Chairman Hall asked how long it took to process and send in the payroll. Ms. Vaughn responded seven to eight days. She added that the timesheets were collected, reviewed, scrutinized and then processed for payment. Mr. Howard added that this process did not include the reports that had to be produced after the payroll is processed. Chairman Hall asked from start to finish how long does it take to process payroll. Ms. Vaughn responded that the timesheets are turned in on the 5th. They are reviewed. They are look at to make sure that they do not need to be corrected. Then the entering begins. If a new employee is hired or if there are changes that all has to be done before the entering begins. Chairman Hall asked if a new employee is hired how many days does it take to make everything happen. Ms. Vaughn responded for example on November 1st they are set up in the system. The time sheets are collected. There is 2 weeks that payroll is entered and processed, the 4th through the 16th. Wednesday before payroll it has to be sent to be processed, so it takes about 10 days.

Commissioner Carter said that a lot of the county employees were salaried so it should be easy just to divide their salary in half and pay them on the 15th and the 30th. Ms. Vaughn stated that the timesheets are a month behind. Commissioner Carter stated that he had had several employees approach him as well on this matter.

Commissioner Travis stated that it should not take so long to process payroll. He added that it did not take that long when he first came on the Board and they were doing it by hand. Ms. Vaughn stated that it takes at least 10 days to process payroll and that it did not matter if it was by hand or by computer. Commissioner Travis asked if the county wanted to pay the employees twice a month how long would it take to process payroll. Ms. Vaughn responded that they would only have 3 days to process payroll and she did not think that was possible.

Commissioner Williamson stated that he thought the Board should ask the Finance Department to show the Board how they handle each step of the process and how long it takes for each

process and that way they would be able to give the Board how much time it actually takes to process payroll.

Commissioner Travis stated that it should not take 18 to 20 days to process payroll since before it was all handled by hand and it did not take that long and he thought that everyone was getting paid twice a month as well. He added that he did not think that Finance needed another employee. Chairman Hall responded by saying that the department could not do twice the work with the same amount of people. Chairman Hall asked the County Manager to get all the facts and to bring them back to the Board for them to make a decision.

Commissioner Jefferies moved, seconded by Commissioner Travis to table this matter to give Finance and the County Manager time to figure out how much time is needed to process 2 payrolls per month.

Chairman Hall added that the Board needed details and facts on what is going to actually take place with the change.

Upon a vote of the motion, the motion carried unanimously.

AMENDMENT TO THE RURAL BUSINESS ENTERPRISE LOAN PROGRAM

Mr. Howard stated that he was requesting the Board to reduce the minimum loan for the program from \$20,000 to \$5,000. This will allow the County to assist even smaller businesses who need assistance but do not need to borrow as much money. He added that he had recently received a request for a loan of \$8,000 but the County was not allowed to make a loan in that amount unless the Board changed the minimum amount.

Commissioner Lucas asked if the County Manager could go back over what this program is. Mr. Howard responded that the County had received two grants each for \$75,000 to help small business that could not get a loan to borrow money from the County to get their business started. Commissioner Lucas asked when the two grants were received. Mr. Howard responded that one of the grants was received years before he came to the County and then the second grant was awarded about three years ago. Some of the grant money was loaned to NORAG in the Pelham Industrial Park. Commissioner Lucas asked how much was loaned to NORAG. Mr. Howard responded \$125,000. Commissioner Lucas asked how many loans had been given. Mr. Howard responded that NORAG was the only company that money had been loaned to.

Commissioner Travis asked what if someone requested less than \$20,000. Mr. Howard responded that he would not be able to loan less than \$20,000. Commissioner Travis asked why they would request less than \$20,000. Mr. Howard responded because they do not need that much money. Commissioner Travis asked if the company had to pay interest. Mr. Howard responded that the first year there was no interest. It is considered a bridge program. Once the company gets established they would be able to apply for better rates. Commissioner Travis asked what would happen if the company did not pay it back. Mr. Howard replied that they had to put up equity to get the loan. Commissioner Travis asked if the company did not pay it back would the County have to cover the cost. Mr. Howard responded no.

Commissioner Lucas asked if the USDA would allow a lower minimum loan. Mr. Howard responded that the County sets the minimum amount on the loans.

Commissioner Williamson moved, seconded by Commissioner Jefferies to accept the County Manager request. The motion carried unanimously.

RFQ FOR COURTHOUSE HVAC

Mr. Ferrell informed the Board that at the last meeting that they had talked about the typical RFQ did not permit cost consideration. The RFQ was mainly to get the qualification of the engineers. He added that he had prepared a resolution and by adopting the resolution the Board could request cost when send out the RFQ and that way they would be able to eliminate a step in the process.

Chairman Hall asked if the Board could consider cost. Mr. Ferrell responded if the Board adopted the resolution they could.

Commissioner Lucas asked if the Board had determined that they had to have an engineer for the project. Mr. Ferrell responded by saying that general statutes require that anything over \$100,000 had to have an engineer and that he believed that the HVAC unit would cost over \$100,000. Mr. Howard stated that over 3 years ago it was around \$200,000. Mr. Ferrell stated that the resolution allows the process to continue and to be able to ask for costs.

Commissioner Lucas asked if the Board could do a RFP instead of an RFQ. Mr. Ferrell responded that the process was set up as an RFQ and that the statutes say the RFQ can only consider qualifications. It costs time to not have the cost up front so the Board can exempt themselves from the RFQ by adopted the resolution.

Commissioner Williamson moved, seconded by Commissioner Carter to adopt the resolution to exempt the County from the RFQ and to be able to get prices. The motion carried by a vote of five to one with Commissioner Lucas voting no.

CASWELL COUNTY BOARD OF COMMISSIONERS RESOLUTION OF EXEMPTION FOR ENGINEERING SERVICES

WHEREAS, G.S. 143-64.31 requires the initial selection of firms to perform architectural, engineering, and surveying services without regard to fee; and

WHEREAS, Caswell County (the "County") proposes to enter into one or more contracts for such services for the heating, ventilation and air conditioning system of the Caswell County Courthouse (the "Project"); and

WHEREAS, in the interest of economy and the timely award of an engineering services contract for the Project an exemption from the provisions of G.S. 143-64.31 is appropriate and desirable;

NOW, THEREFORE, THE CASWELL COUNTY BOARD OF COMMISSIONERS RESOLVES:

1. The above-described Project is hereby made exempt from the provisions of G.S. 143-64.31 for the reasons stated in this resolution.
2. This resolution shall be effective upon passage.

This the 5th day of November, 2012

S/ Nathaniel Hall
Nathaniel Hall, Chair
Caswell County Board of Commissioners

RECESS

The Board held a brief recess.

RESOLUTION ENCOURAGING THE STATE LEGISLATURE TO CONTINUE THE
“HOLD HARMLESS”

Chairman Hall stated “We have had some discussions about this. One of the things that I meant to do and I will get it to all the Board members in the next couple of days is that the North Carolina Association of County Commissioners has various steering committees that are addressing all of these issues. I am sure that this one will be addressed by one of the committees. I am serving on the Education Steering Committee and we have a proposal that will be going to the full steering committee and then to the full board in January. This one will probably be included and it will not hurt us to act on it.”

Commissioner Lucas asked “Are they asking for us to act on this by a certain time?” Chairman Hall responded “I don’t remember the time they asked for this. What they are doing is just asking for us to support by asking the legislature to continue the hold harmless on what was the subject on this one? Was it the inventory taxes or the Article 44?” Commissioner Travis responded “Article 44.” Chairman Hall continued “All of this will be included in the North Carolina Association of County Commissioners’ packet of information in January that this Board will be asked to vote upon before the January meeting and send a representative. I don’t remember the date Ms. Lucas. Commissioner Lucas asked “Do we know the amount that we received this year?” Mr. Howard responded “Probably \$5,000 a year.” Chairman Hall asked “Again this is the inventory tax?” Mr. Howard responded “This is the Article 44.” Chairman Hall continued “Tell us what Article 44 is so we will know.” Mr. Ferrell responded “Article 44 is the old inventory taxes. This gives the local government the ability to raise local revenue through sales taxes increases, ½ cent here, ¼ cent here and so forth. I believe the Article 44 tax went away years ago but this Hold Harmless has been ongoing for a period of time. This was supposed to end sunset October 2012. The inventory taxes in some places just cannot make up for sales tax taxes so their point here is to say is we have not achieved that balance they thought we would when the Article 44 disappeared and we need a little bit more time to receive this revenue from the state on the Article 44 tax.” Chairman Hall stated “I have heard that they are going to ask for at least one more year. Some of the larger counties that had the furniture

companies their hold harmless was hundreds of thousands of dollars a year so if it that much that would have a significant impact on their budget. That is more significant than \$5,000 on ours. I think the idea is to ask for one more year.”

No action was taken by the Board.

BOARD OF EDUCATION’S REQUEST FOR FUNDING TO
REPAIR BLEACHERS IN CIVIC CENTER

Mr. Howard stated “We received a request from Dr. Barker and the School System. They are requesting that we pay half of the repairs. They did not anticipate this cost for this year. The total cost is \$11,578.26 and if the Board chose to help the cost would be \$5,789.13.”

Chairman Hall asked “Have we been sharing in the revenues?” Mr. Howard responded “No sir.”

Commissioner Williamson asked “Did they budget for that?” Mr. Howard responded “No sir. I don’t think this is something that they planned for this year and they were asked us to pay for half of it.”

No action was taken by the Board.

SHERIFF’S REQUEST TO DONATE OUTDATED BULLET PROOF BEST TO
PIEDMONT COMMUNITY COLLEGE LAW ENFORCE

Commissioner Travis moved, seconded by Commissioner Carter to approve the request. The motion carried unanimously.

APPROVAL OF PTRC PROFESSIONAL SERVICES TO DEVELOP
A PERSONNEL POLICY MANUAL

Mr. Howard stated “During the budget process we discussed hiring the PTRC to come in and help assist us to develop a new personnel policy. Basically they would be working with the new HR director and several department heads to develop a new personnel policy based on what we are doing, what we would like to be doing and based on what other counties around the state are doing. The cost is \$5,500.”

Commissioner Lucas asked “As far as the current policy that we have in place what are the major problems that you see with it?” Mr. Howard responded “There are several areas where it is not specific enough or there are gray areas in it that need to be fine tuned. Basically the policy is just old, it was done in early 2000 and it needs to be brought up to the new laws and things that are going on now in the country. We can sit here for a while if you want to into detail with it but there are several issues with it but basically it is outdated. It is time to update it. I would like for them to help us with that process. They do it for other counties in the COG and other towns in the COG. It will be a faster process with their assistance.”

Commissioner Williamson asked “Have you looked at other avenues that you can go through to get some help, maybe from an intern or some type of grad student help or anything like that?” Mr. Howard responded “We can look at that. What they were going to do was look at other counties and see what would fit best for Caswell County. With my discussions with PTRC they have expertise in proving this to other counties and they could bring us something for us to look at. The biggest obstacle for us is the time. They can do it faster than we can.”

Commissioner Lucas asked “Is this not something that our new HR person could not undertake as part of her job requirements?” Mr. Howard responded “She could but it would take a lot longer for here to put it together than it would if we had someone to assist us. I just wanted to remind you that she just got here. She is going through a transition from the private sector to the public sector. There are a lot of things that she needs to learn about public employment law that she does not know about. We are in the process of that now.” Commissioner Lucas asked “Chairman Hall we pay a membership fee to the COG every year, is that correct?” Chairman Hall responded “Yes.” Commissioner Lucas continued “Is it typical that you would pay this amount to have this work done?” Mr. Howard responded “The membership fee gives us a phone call to get questions answered. If we get into a project like this they have assessed fees.” Commissioner Lucas stated “I tend to agree with what Commissioner Williamson said to look for an alternative as to this.” Mr. Howard responded “There are private companies that can do this and I can contact them. This is something that we have been looking at since I got here but due to the staff that we have had over the last few years this is something that we have not been able to finish. They have the expertise and they would be able to get it done a whole lot faster than we could do it.”

Commissioner Travis moved, seconded by Commissioner Lucas to check all the options like Commissioner Williamson said before making a decision.

Commissioner Williamson asked “Do we have assistance with our Association?” Mr. Howard responded “They would put us in contact with certain private groups to come in and to assist us. They don’t have any staff that can do this.” Chairman Hall responded “To answer your question, no they will not.”

Commissioner Carter stated “The only think I would like to say is the Piedmont Triad Regional Council are familiar with this but I would like to see what other options we have.”

Upon a vote on the motion, the motion carried by a vote of four to two with Commissioners Carter and Jefferies voting no.

Chairman Hall stated “Do you understand Mr. Manager what you are going to bring back to us?” Mr. Howard responded “Yes other options for assistance to help us with the personnel policy.”

APPROVAL OF ECIVIS CONTRACT

Mr. Howard stated “I have additional information on eCIVIS and what they provide. Not only do they help you find funding from grants they have software in their system to help you keep up with the grants. I included a list of counties and towns that actually use this service in the state.

I think that we should try it for one year to see. If we spend \$6,000 on it and get fifteen or twenty thousand dollars in grants we come out ahead in the process. Our biggest problem is locating grants. As I said earlier this is a nationwide database. It is every federal, state, and foundation grant in the country. What you do is go in and set up the criteria on what type of grant you are looking for and it goes out and searches that nationwide database and brings back the possibilities to you.”

Commissioner Travis asked “Did you contact any of these counties that they have worked for and find out any information on them?” Mr. Howard responded “No sir.” Commissioner Travis continued “Well you know Rockingham County is not that far away. You need to talk to them about that.” Mr. Howard responded “Most of them have been involved in this for several years now and my assumption is that they are seeing some benefits from the program.”

Commissioner Lucas asked “Who would be the grant writer or the person who would pursue these grants?” Mr. Howard responded “Actually you can have three to five people who can assess the grants. We would designate two or three county employees to do that and then we would write those grants in house depending on the size of those grants. Most of these would be fifteen to twenty thousand dollars grants and we would do those grants in house. The larger grant we may have to contract with someone outside to come in and write the grants for us. We are fortunate to have hired a couple of employees over the last couple of years that are very good grant writers.” Commissioner Lucas asked “And this is included in the budget?” Mr. Howard responded “Yes ma’am.” Commissioner Lucas continued “Where?” Mr. Howard responded “It is under professional services I think.” Commissioner Lucas asked “We vote for it this year?” Mr. Howard responded “Yes ma’am. We budget for \$5,500 for a three year contract. If the Board wants to try it for one year to see if they can get some success out of it that will be \$6,000 for the one year.” Commissioner Lucas asked “And you are sure that we put this in the budget?” Mr. Howard “Yes ma’am.” Commissioner Travis asked “For one year it is six and three years is fifty-five?” Mr. Howard responded “Fifty-five hundred a year.”

Commissioner Travis stated “I would sort of like to know what Rockingham County feels about these people. Before we pass this I would like to know what they think about this. We will meet again in two weeks. I would like to see it put back on the next agenda and that you contact Rockingham County to see what they think about it. If they say we tried it for one year and it was not worth a hoot then we won’t throw about six thousand dollars.” Mr. Howard responded “What I will do is pick some counties that are similar to us demographically.” Commissioner Travis stated “Be sure to check with them because they are close. That is my opinion.”

Commissioner Travis moved, seconded by Commissioner Lucas to have the County Manager to check with other counties to see if they are satisfied with the program or not and bring it back to the next meeting to make a decision.” The motion carried unanimously.

DEPARTMENT OF COMMERCE GRANT

Chairman Hall stated “Through the Town of Yanceyville, the DEEDS organization has been involved in an enhancement capacity building grant. In our last couple of meetings we were advised that this will be the last year that the Department of Commerce will do these grants.

Most counties qualify. Caswell County qualifies for this so it is my recommendation to the county manager that Caswell County apply for a capacity building grant. This grant would be similar to what the Town has for DEEDS. The grant will pay for the class, pay for the travel, and a portion of his or her salary. I think it would be a good opportunity to expose one of our employees to the Department of Commerce and to get a chance to learn some additional things about grant writing. Now the deadline to submit this grant is November 30th. One of the rules is that you must hold 2 public hearings. Because we have a CDBG grant we have had one public hearing but you must have a specific public hearing for this talent enhancement program. The rules also require that to have a public hearing you must advertise it for 10 days. If this Board is interested in doing that we need to approve it tonight so we can advertise it for ten days and get the grant out by November 30th."

Commissioner Travis asked "Who would be going to the classes?" Chairman Hall responded "I would talk to the County Manager; he would probably recommend an employee for that."

Commissioner Williamson asked "Who would be writing the grant?" Chairman Hall responded "That would go to the County Manager; I think he has a staff person working on it."

Commissioner Lucas asked "Did I understand you to say that it is already being worked on?"

Mr. Howard responded "We are researching it." Commissioner Lucas continued "And it is for what amount?" Chairman Hall responded "I think the maximum is \$50,000."

Commissioner Travis asked "Is there a match from the county?" Chairman Hall responded "No there is no match required."

Commissioner Travis continued "But it would be a county employee going?" Chairman Hall responded "Yes." Commissioner Travis stated "All I will say is I know one girl is pretty good at doing this. If you are going to send someone somebody like that would be good. You know who I am talking about."

Commissioner Lucas stated "I have to say this and get it on the table. I am upset that this was added to the agenda tonight. It has been worked on for some time." Chairman Hall responded "Let me responded to that. I added it to the agenda because it has not come up before and unless it is addressed tonight it would be too late. That is why I added it." Commissioner Lucas continued "Has it been talked about?" Chairman Hall responded "Yes it has been talked about and by all rights it should have been brought to the Board earlier." Commissioner Lucas asked "That is the problem I have with it being thrown on at the last minute and the parties that are involved in it. I am just concerned. Is this not the same grant that you received through the Town of Yanceyville?" Chairman Hall responded "Yes." Commissioner Lucas continued "Through the DEEDS organization?" Chairman Hall responded "Right. I am just a little bit bothered. I don't know if there is a conflict or not but I am just a little bit concerned about that." Chairman Hall responded "I am only bringing this up on behalf of the county. The county does not have to apply for this and I will not be a part of it. I just wanted the county to know that it exists, the opportunity exists and that this will be the last year as I was told in class that it will exist." Mr. Howard added "What you can do tonight is direct us to hold a public hearing. You are not committing to apply for that grant. That can be decided at the next commissioners' meeting. We just need to know whether or not we can hold a public hearing. We can get the information out. You can get more information and it can be discussed at the next commissioners' meeting."

Chairman Hall stated "You need to resolve it. If you don't want to apply don't do it. I mean there is no hidden agenda here Ms. Lucas for me and for the other commissioners if you are not comfortable don't do it." Commissioner Lucas responded "My only concern was it being added to the agenda tonight, the nature of it. There is no accusation of a hidden agenda it just does not feel comfortable to me."

Commissioner Jefferies moved, seconded by Commissioner Carter to direct the County Manager to start the application process and advertise for the public hearing. The motion carried by a vote of five to one with Commissioner Lucas voting no.

COUNTYWIDE ECONOMIC DEVELOPMENT BOARD

Chairman Hall stated "At the last joint meeting of the County of Caswell, Town of Yanceyville and the Town of Milton we discussed the possibility or probability of forming a joint economic development board. I think most of the commissioners were present. One of the things after the discussion I suggested was that we go back to our respective boards and take a vote on this. I wanted to go ahead and get it on the agenda tonight for two reasons. 1) If you feel comfortable enough to move forward we can. If we need or want additional information we have time to do that before we move on to December and January."

Commissioner Williamson stated "I was thinking that we were supposed to receive additional information from the county manager as far as what it would cost and things like that before we voted." Chairman Hall responded "We discussed that at the joint meeting so now we can make it a part of this meeting's minutes, this Board's minutes. That additional information was cost..." Commissioner Williamson responded "Cost to create a non-profit, cost of fees, etc."

Commissioner Lucas stated "Chairman Hall I would like to hear from the County Attorney as far as the legal confines of a non-profit, not today but in some format as far as what kind of authority that EDC would have." Chairman Hall responded "A recommendation of sort is what you are saying?" Commissioner Lucas continued "Yes because I sort of walked into it blindly at that meeting. I sat there and listened to what everybody had to say but I know it is going to be a separate governing authority and we need to be made very aware of..." Mr. Ferrell responded "Very good question. We all know the authority that the state gives us so we need to act within that authority." Chairman Hall stated "That is why I put it on this agenda so the Board could ask questions."

Commissioner Travis asked "If we do this will each one, the Town of Yanceyville, the Town of Milton and the County, going to put in the same amount of money on everything?" Chairman Hall responded "We have not gotten there. That is something that we will have to consider that amongst the Board, what is our feeling about it." Commissioner Travis continued "Before I can vote on it that would have to happen. I mean if three people are going in on something I think the three people should put the same amount in. I don't think Milton would be interested in doing that from what that woman said over there the other night, they don't want any changes." Commissioner Lucas responded "She said she did not want a McDonald's." Commissioner Travis responded "Right. They don't want to move forward, they want to stay back. That is what they want." Chairman Hall responded "I did not interpret it that way. I interpreted it as meaning

that they had a vision in mind of what they wanted the Town to look like.” Commissioner Carter stated “I think they want it to stay the same to attract tourism.” Chairman Hall continued “That is the way I interpreted it. Either way the good part about these meetings is we can bring these things up and have discussions. We don’t have to wonder or guess what they are thinking; we can ask them what they are thinking. Anything else we want staff to be working on for us? We have a couple of things outlined.” Commissioner Travis asked “He is going to find out the expense and if each place is going to put the same amount of money in? I would like the answer to that.” Chairman Hall responded “I think this Board can make a decision on how it wants to approach it and ask the other boards as we meet as a joint meeting. We can always say how we feel and we can vote on if we feel that way or not.”

Commissioner Lucas asked “Chairman Hall, would a public hearing be appropriate?” Mr. Ferrell responded “You can always ask for input from the public on what you want to do on a project like this. Whether it is required or not is something that I do not have an answer to. In my legal review I will certainly look at what it takes to set up these authorities.” Chairman Hall stated “We missed you at that meeting.” Mr. Ferrell responded “Your joint town meetings I generally don’t attend.” Chairman Hall continued “We missed asking you to be there because that question that Ms. Lucas raised is one of the questions asked.” Mr. Ferrell responded “All of these questions that you are asking now are things that I want to work with the County Manager on. When you structure a board like this the process is very important. There are statutory issues that we need to look at, process issues, and the correct entity to house something like this is important so I will certainly work with the county manager on various questions that you have proposed tonight.” Chairman Hall stated “What I will ask Ms. Seamster to do is to provide you a copy of those minutes. Most of those questions and things that we discussed were in there. We can go back to Ms. Lucas’ question, I am pretty sure it was one of them.” Commissioner Lucas responded “It was.” Commissioner Travis stated “What I asked was not.” Chairman Hall responded “Yours was not.”

Mr. Howard stated “We discussed contacting the School of Government to assist in an overview. I talked with the folks down there and they are willing to come in and discuss an initial overview meeting to tell you what the process is at no charge. If we want them to help with the process of laying out the board they would charge us for that.”

Chairman Hall stated “I think that once we hear from our attorney and staff and if we move to the next step that we would propose that to the joint towns to come in but each unit needs to decide within itself how far they want to go on this and answer all of these same questions.”

Commissioner Williamson stated “And at the same time I thought we said we were going to share the information with the other towns.” Mr. Howard responded “Haynes and I talked after the meeting. He is gathering information and I am gathering information.” Commissioner Williamson continued “I just wanted to make sure that we were all clear on that.”

Commissioner Travis stated “I would be sort of nice to know their questions. If we are going to give them ours, they need to give us theirs.” Commissioner Williamson responded “That is what Kevin just said.” Mr. Howard stated “I was to contact the School of Government. I will talk

with Brian about the legal costs. He is talking with the Association and the COGs and we will see what the state will provide.”

Chairman Hall stated “The comment was we have a list of questions that you and our attorney are going to be working on. We need to share those questions with the Town of Yanceyville and the Town of Milton and ask them to do the same thing so that we can make sure that everything is covered. They may have a concern that we don’t have and we need to get that to general counsel and everybody before we get to the next meeting because when we get there, there is going to be a lot on the table and the individual board’s needs to agree together on it on what they want to say and do.” Commissioner Travis stated “Their concerns may be the same as ours.” Chairman Hall responded “Could be and that would be a good thing.”

Mr. Howard asked “Can we go through those questions tonight one more time so that we will have them all?” Chairman Hall asked “Go through the questions?” Mr. Howard responded “Yes that we have down what, Paula has been taking notes and I have been taking notes, but I would like to make sure that we have what the Board wants.” Chairman Hall stated “We have them. She will have to listen to them. I don’t know what was said right off.”

ANNOUNCEMENTS AND UPCOMING EVENTS

- A. County Employees’ Appreciation Luncheon – Tuesday, December 4, 2012 – 12:00 p.m. – 2:00 p.m. – Civic Center.

Commissioner Williamson stated “I would like to make a report on the Cyber security Committee. We have met and we have looked at each department in the county and the systems that we have. Our IT person seems to feel like they are covered. We did have some questions about the State program that they supply and work through. I guess we can get some answers through our Piedmont Council on that part. The other thing was looking at our computer policy needed to be updated. That is what we will be doing at our next meeting. Being that we serve some of the same people in the City of Milton and the Town of Yanceyville we will share this program with them so that they can cover the same bases knowing what kind of security we have on our systems. Do you have any questions that you would like to add to that?” Chairman Hall asked “So at some point when you finish this process you will give us a complete report?” Commissioner Williamson responded “Right.” Mr. Ferrell stated “The School of Government at the attorney’s conference this summer covered a unit on computer usage and I am happy to share those materials with you. That is why I was winking at you. I can tell you what the School of Government as said as recent as this summer about this policy and you can use it as you go through updating as you discussed.” Mr. John Claggett asked “I was wondering since the County uses a commercial server, is the server going to be included in this process?” Commissioner Williamson responded “Our IT person has looked at that and he is saying that it is secure. It is some of the same software that we use.” Mr. Claggett continued “My email from the county has been blocked in the past.” Commissioner Williamson responded “And that is because he has a system that can block it.” Mr. Claggett stated “My system says it looks like spam.” Mr. Howard stated “What Mr. Claggett is talking about is our email server. We are talking about, that is part of what we are discussing, but the main part of what we are discussing

is our financial software and all of that and outside vendors as well.” Chairman Hall stated “That is a good point and I think from what Commissioner Williamson said we will look at that also in terms of the policy because there have been some decisions made over the years that from a policy standpoint may not have involved this Board and that will be the next step.”

Commissioner Lucas asked “I wanted to ask the County Manager a question about the election process. With the new location, how has that been?” Mr. Howard responded “I have not sat down and discussed it with them. I have not heard any complaints from Ms. Young, the new director. We talked when she first moved and she was enjoying the additional space they had over there. As far as the one-stop voting I don’t know anything at this time. I can answer that for you at the next meeting.”

Commissioner Jefferies stated “We had a meeting with PBH. The lawyer from PBH was there and he said quite a bit. It was very interesting as to what he had to say. I asked the chairman and I asked him to come before this Board so you could ask him any questions. I think it would be very helpful for this Board to do this. The man was very sharp and he could help this Board.” Chairman Hall responded “So we will get him on the agenda, the PBH attorney.”

Commissioner Travis asked “I was going to ask Kevin a while ago while he was talking about voting. The day I went in there the people working there was not too happy with it. The one’s working on the floor, not the ones in the office.” Mr. Howard responded “I have not discussed it with her the one-stop voting.” Commissioner Travis continued “I went over there to use it and to be honest with you the way they have the voting machines set up it was a lot better than when they had them in here. In here everybody could see what everybody was doing. I liked it a whole lot better they way they have it now. The biggest problem they had is well you would be surprised how many people don’t know their address when they go to vote. I am being honest. The woman in front of me did not know what her address was. Overall I think it was a lot better over there than what it was over here even though I was one of the ones who was not for moving them over there. I think it will be okay.” Commissioner Williamson stated “The only comment I got was having one Saturday voting. People have said to me when I told them it was only one Saturday they asked why.” Commissioner Travis responded “I don’t know for sure but to be honest with you I don’t think any of them were open but the last Saturday, was it?” Commissioner Williamson responded “They were open on Saturdays. They were open on Sunday.” Chairman Hall asked “In North Carolina?” Commissioner Williamson responded “In North Carolina. In Guilford County I believe.” Chairman Hall stated “We will find out.” Commissioner Travis stated “The more times you have it open the more it will cost the county.” Commissioner Williamson responded “I understand that.” Commissioner Travis stated “If you want to vote, you will go vote. The boy that works for me stood in line last Saturday for two hours in Alamance County.”

CLOSED SESSION

Commissioner Carter moved, seconded by Commissioner Williamson to establish, or to instruct the public body’s staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed

contract for the acquisition of real property by purchase, option, exchange or lease (NCGS 143-318.11(a)(5)). The motion carried unanimously.

REGULAR SESSION

Commissioner Travis moved, seconded by Commissioner Williamson to resume regular session. The motion carried unanimously.

ADJOURNMENT

At 8:45 p.m. Commissioner Jefferies moved, seconded by Commissioner Travis to adjourn. The motion carried unanimously.

Paula P. Seamster
Clerk to the Board

Nathaniel Hall
Chairman
